

Tuesday, July 07, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-28. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: opens the floor to public comment and states Item No. 7 will need to be pulled for separate action in order for the Board to sit as the Board of Directors of the Public Facilities Corporation.

Supervisor Compton: states she will be abstaining from voting on Item No. 9.

The Board pulls Item No. 7 from the Consent Agenda for separate action and the action taken for Consent Agenda items 1 through 6 and 8 through 28 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x		X (Item No. 9 only)	
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Consent Agenda - Bid Opening:

- 1.** Letter transmitting plans and specifications (Clerk’s File) for 2015-16 Asphalt Overlay, Various Roads, Nipomo, for Board approval and advertisement for construction bids and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Bid opening date set for Thursday, August 6, 2015. District 4.

The Board approves as recommended by the County Administrative Officer.

- 2.** Letter transmitting plans and specifications (Clerk’s File) for the Installation of Traffic Signals, Nipomo, for Board approval and advertisement for construction bids. Bid opening date set for Thursday, August 6, 2015. District 4.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Administrative Office Items:

- 3.** Request to approve Amendment No. 2 to the agreement for services with TJA Advertising and Public Relations (TJA) in amount not to exceed \$150,000 to continue to provide marketing services to the Avila Beach local area of the San Luis Obispo County Tourism Business Improvement District (CBID) in FY 2015-16. District 3.

The Board approves as recommended by the County Administrative Officer.

- 4.** Request to receive and file recommended response from the Sheriff to the Grand Jury's 2014-15 report "San Luis Obispo County Juvenile Hall, Jail and Allied Agencies Inspection Report." All Districts.

The Board approves as recommended by the County Administrative Officer.

5. Request by the San Luis Obispo County Tourism Business Improvement District (CBID), on behalf of the Avila Beach Local Area Advisory Board, to re-appoint Charles Crellin to the Avila Beach Area Advisory Board. District 3.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

6. Request for permission to utilize \$47,563 of escheated unclaimed funds from the estates of two Public Administrator cases to provide services for the estates of decedents without sufficient assets to cover final costs. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

8. Request to approve an agreement with the Central Coast Aquarium allocating \$3,000 from District Community Grant Funds – Fund Center #106 to be used for expenses associated with the "Catch of the Central Coast" fund raiser on September 12, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

9. Request to approve the minutes of the Board of Supervisors meetings held during the months of April 2014 to December 2014.

Supervisor Compton: abstains on this item.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

10. Request to approve appointments to the Emergency Medical Care Committee. All Districts.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve: 1. FY 2015-16 renewal contracts, with the option to renew for two additional years, with Apex Pharmacy dba Bestcare Pharmacy and En Soleil Pharmacy, Inc. at a rate of \$4 per qualified prescription dispensed to provide pharmacy services for qualified Behavioral Health clients; and 2. FY 2015-16 renewal contract, with the option to renew for two additional years, with Kyoko Mitsuoka at a rate of \$85 per hour to provide pharmacy management for the Psychiatric Health Facility. All Districts.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve FY 2015-16 renewal contracts, with the option to renew for two additional years, with Tom Comar, N.P., Gary Raymond, N.P., and Nancy Walden, N.P. at a flat rate of \$80 per history and physical, and a flat rate of \$55 per sick call, or \$43.77/hour for medical services to perform medical histories and physicals, sick calls, and other medical services provided to Mental Health patients. All Districts.

The Board approves as recommended by the County Administrative Officer.

13. Request to amend the fixed asset list in Fund Center 160 - Public Health for the purchase of two Cardio

Pulmonary Resuscitation (CPR) manikins and authorize a corresponding budget adjustment in the amount of \$38,000 from unanticipated revenue to implement a "High Performance CPR" program in San Luis Obispo County. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Human Resources Items:

14. Introduction of an amendment to Section 2.40.060 of the County Code to create the Assistant Chief Probation Officer position approved in the FY 2015-16 adopted budget and add the position to the list of unclassified service positions. Hearing date set for July 14, 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

15. Request to approve a contract with Med-Stops Medical Clinic, Inc. (doing business as Med+Stop Urgent Care Center) in an anticipated annual amount of \$155,000 for pre-employment medical exam services for an initial three (3) year term until July 6, 2018, to be automatically renewed under like terms for up to two (2) one (1) year periods thereafter. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Information Technology Items:

16. Request to approve a contract (Clerk's File) with Sherpa Government Solutions LLC, in the amount of \$834,989, to provide budgeting software and migration services to replace Budget Prep and request to approve a budget transfer from the designated fund balance for Budget System Development in the Countywide Automation Fund to the Budget Prep Replacement project in the Countywide Automation Fund - FC 266 in the amount of \$770,274 and amend the Fixed Asset List in the Countywide Automation Fund – FC 266 in the amount of \$750,000 to include the purchase for the project. All Districts.

The Board approves as recommended by the County Administrative Officer.

17. Request to amend the Fixed Asset List for Fund Center 266 – Countywide Automation to include two printers for the County's data center in the amount of \$30,000. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Public Works Items:

18. Submittal of a resolution establishing changes to the Traffic Regulation Codes for parking restrictions on Cave Landing Road, Avila Beach; and to establish angled parking and disabled person parking on Carrillo Street, Nipomo and K Street, San Miguel. Districts 1, 3 and 4.

Mr. Frank Honeycutt – Department of Public Works: replaces Exhibit A to the resolution.

This item is amended by replacing Exhibit A to the resolution. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2015-169, adopted as amended.

19. Request to approve and authorize the Chairperson to sign an agreement between the County and Paso Robles Country Disposal to extend the current Solid Waste Collection Franchise Agreement six months. District 1.

The Board approves as recommended by the County Administrative Officer.

20. Setting a public hearing to consider a resolution declaring intention to levy annual assessments for Tract 1747 Streetlight Assessment District, Nipomo. Hearing date set for July 21, 2015. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-170, adopted.

21. Request approval of Parcel Map COAL 14-0056 a proposed lot line adjustment of 2 lots by the Robert G. Wilcox Trust and BGW Productions Inc. Trust, Ground Squirrel Hollow Road east of Paso Robles, that has been received and has satisfied all the conditions of approval that were established at the public hearing for the proposed lot line adjustment. District 1.

Mr. Doug Rion – County Surveyor: corrects the District listed on the staff report.

This item is amended by correcting the District listed on the staff report to read District 5 not District 1. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

Consent Agenda - Social Services Items:

22. Request to approve a FY 2015-16 professional services contract (Clerk's File) for Workforce Innovation and Opportunity Act (WIOA) Youth Services with Henkels & McCoy, Inc. in the amount of \$594,694. All Districts.

The Board approves as recommended by the County Administrative Officer.

23. Request to approve a FY 2015-16 professional services contract (Clerk's File) for Workforce Investment and Opportunity Act (WIOA) America's Job Center of California (AJCC) one-stop system operator services with Goodwill Central Coast in the amount of \$776,638. All Districts.

The Board approves as recommended by the County Administrative Officer.

24. Request to approve a FY 2015-16 renewal service contract (Clerk's File) for Housing Assistance Services with the Housing Authority of the City of San Luis Obispo (HASLO) in the amount of \$100,000. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

25. Request to approve a FY 2015-16 renewal service contract (Clerk's File) for Direct Family Services and Parent Education with Community Action Partnership of San Luis Obispo County, Inc., in the amount of \$445,898. All Districts.

The Board approves as recommended by the County Administrative Officer.

26. Request to approve a FY 2015-16 renewal service contract (Clerk's File) for the Family Ties Relative Caregiver Program with Seneca Family of Services (Seneca) in the amount of \$240,838. All Districts.

The Board approves as recommended by the County Administrative Officer.

27. Request to approve a FY 2015-16 renewal service contract (Clerk's File) for Cal-Learn Case Management Services with Community Action Partnership of San Luis Obispo County, Inc., in the amount of \$67,500. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Sheriff - Coroner Items:

28. Request to approve a contract with Keefe Commissary Network, L.L.C. (Keefe Group) for a period of three years. The agreement will automatically renew for two (2) additional one (1) year term(s) thereafter, unless either party gives notice in writing that they do not wish to extend this agreement. All Districts.

Mr. George Clarkson – Sheriff Coroner Department: amends the pagination to the contract.

This item is amended to correct the pagination to reflect 14 pages to the contract. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

THE BOARD OF SUPERVISORS DOES NOW ADJOURN AND RECONVENES AS THE BOARD OF DIRECTORS OF THE SAN LUIS OBISPO PUBLIC FACILITIES CORPORATION.

7. Hold a Board of Directors meeting for the San Luis Obispo Public Facilities Corporation to: 1) elect a new Secretary for the Corporation; and 2) approve the minutes of the July 22, 2014 meeting. All Districts.

PRESENT: Directors: Frank R. Mecham, Adam Hill, Lynn Compton, Debbie Arnold, and President Bruce S. Gibson

ABSENT: Directors: None

Caren Ray (no longer in Office)

The meeting of the Public Facilities Corporation is called to order by Director Debbie Arnold.

Director Arnold: opens the floor to public comment without response.

Directors elect Tommy Gong as Secretary and approves the minutes from June 22, 2014.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (President)	x			
Mecham, Frank R. (Vice-President)	x			
Arnold, Debbie (Director)	x			
Hill, Adam (Director)	x			
Compton, Lynn (Director)			x	

THE BOARD OF DIRECTORS OF THE SAN LUIS OBISPO PUBLIC FACILITIES CORPORATION DOES NOW ADJOURN AND RECONVENES AS THE BOARD OF SUPERVISORS.

Public Comment Period:

29. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Eric Greening: discusses new scientific research regarding tsunamis and an article in the Journal of Geophysical Research titled “High-resolution Mapping of Two Large-scale Transpressional Fault Zones in the California Continental Borderland: Santa Cruz-Catalina Ridge and Ferrelo faults.”

Ms. Linda Van Fleet: announces her retirement from Real Property Services and commends the Board and staff for their dedication to the County.

Ben DiFatta: speaks to the 8 levels of control outlined by Saul Alinsky.

Dr. C. Hite: comments on a statement on Supervisor Hill's re-election campaign website; and concerns regarding housing issues in Los Osos.

Ms. Linde Owen: addresses an article in the Tribune by Dan Walters titled “Cities and the State Rely on Civic Engagement”; and the savings from installing personal water tanks.

Mr. Wade Horton - Public Works Director: states they received a \$950,000 grant by the US. Bureau Reclamation for the Salinas and Carmel River Basins Study.

Ms. Bettina Swigger - Mozaic Executive Director: announces the Festival Mozaic's 45th Anniversary Season starting July 16, 2015 through July 26, 2015.

Ms. Julie Tacker: addresses concerns regarding recent columns in the Tribune by Tom Fulks. **No action taken.**

Hearings

30. Hearing to consider a resolution authorizing the collection of service charges within County Service Areas 1 (Old Galaxy Park and Tract 1690 – Nipomo), 1-A (Galaxy Park and Tract 1898 – Nipomo), 1-F (New Galaxy – Nipomo), 7-A (Oak Shores), 18 (San Luis Country Club Estates), and 21 (Cambria, Road Improvements). Districts 1, 2, 3 and 4.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-171, a resolution of the Board of Supervisors acting as the governing board of the San Luis Obispo County Service Area (CSA) Nos. 1 (Old Galaxy Park and Tract 1690 - Nipomo); 1-A (Galaxy Park and Tract 1898 - Nipomo); 1-F (New Galaxy - Nipomo); 7-A (Oak Shores), 18 (San Luis Country Club Estates); and 21 (Cambria, Road Improvements) confirming report and directing the collection of annual service charges on County tax roll, adopted. Further, the Board directs the Clerk to file the approved resolution and exhibit to the County Auditor/Controller/Treasurer/Tax Collector (ACTT) no later than August 10, 2015.

Motion by: Frank R. Mecham
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

31. Hearing to consider a resolution confirming amended assessments for San Miguel Assessment District, and North Mesa Assessment District. Districts 1 and 4.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-172, a resolution confirming and ordering amended assessments for San Luis Obispo County San Miguel/San Lawrence Terrace Assessment District, and North Mesa Assessment District, adopted. Further, the Board places the fee for preparing the amended assessments on the 2015-16 tax roll; and directs the Clerk to file the confirmed amended assessments with the County Auditor/Controller/Treasurer/Tax Collector (ACTT) no later than August 10, 2015.

Motion by: Frank R. Mecham
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

32. Continued hearing to consider an appeal by Wilton and Helen Webster, and Ron Jolliffe and Collen Runyen of the Planning Department Hearing Officer's approval of Willow Creek NewCo LLC Minor Use Permit (DRC2013-00028) to allow the phased expansion of an existing olive oil/wine processing facility, 20 temporary events with 200 guests, and modifications to ordinance standards to allow adjustments

to setbacks, and an increase to the limits of retail sales area and consideration and adoption of the Mitigated Negative Declaration at 8530 Vineyard Drive, west of the community of Templeton, continued from June 2, 2015. District 1.

Board Members: report their ex-parte communications relating to this hearing.

Ms. Alison Norton – representing Wilton and Helen Webster, Appellants and Ms. Jamie Kirk – representing the Applicant (Powerpoint): speak.

Chairperson Arnold: opens the floor to public comment.

Ms. Jean Lowe: speaks.

Ms. Rita Neal – County Counsel: recommends all the Appellants have the opportunity to speak before proceeding with public comment.

Ms. Colleen Runyen – Appellant: speaks.

Chairperson Arnold: re-opens the floor to public comment.

Mr. Ted Joyce; Mr. Glenn Faulk; Ms. Kathy Stone; Ms. Larry Stone; Ms. Alice Griselle; Mr. Jack Hananer; Mr. Mike Sampson; Ms. Collette White; Ms. Kimberly Routh (Photographs); Ms. Claudia Webster; Mr. Alec Webster; Mr. William Webster; Mr. Peter Bryne; Mr. Ron Jolliffe – Appellant; Ms. Diane Burkhael; Ms. Sandra Fairbanks; Mr. Leon Fairbanks; Mr. Aleah Koury; Ms. Barbara Zinn; Ms. Jennifer Weaver; Mr. Niccob Lekai; and Ms. LaVonne Casteel: speak.

Ms. Kirk; Mr. Ty Green; Mr. Mike Hibma - Representing the Applicant; and Ms. Norton: provide closing statements.

Board Members: discuss fair argument standards, with Ms. Whitney McDonald – Deputy County Counsel responding.

A motion by Supervisor Frank R. Mecham, seconded by Supervisor Lynn Compton, to uphold the Planning Commission's considerations and deny the appeal with the conditions that would prohibit bed and breakfasts and vacation rentals to comply with the Williamson Act and allow up to (20) twenty all exclusive events no more than (2) two per month, is discussed.

Staff: presents the revised language to Conditions of Approval Nos. 1, 1f, 1g, 30, 31, and 34.

The Board amends Exhibit B - Conditions of Approval, by removing the word “temporary” in Nos. 1, 1f, 1g, 30 and 31; by replacing the language and table below the first paragraph in No. 1 to read: “This approval authorizes a maximum of 20 events per year with up to 200 guests including winery special events, industry-wide events, wine maker dinners, non-profit events, or any other type of event where the possibility that 50 people or more individuals will attend. Does not include normal patronage of the tasting room. Fifty or less people is not considered an event. Events shall be limited to no more than two (2) weekends per month, not to exceed 20 events per year.”; and by replacing No. 34 to read: “Future vacation rental shall not be allowed on this property. Future B&Bs shall not be allowed on this property.” Furthermore, RESOLUTION NO. 2015-173, a resolution denying the appeals of Wilton and Helen Webster, and Ron Jolliffe and Collen Runyen, affirming the decision of the Planning Department Hearing Officer, and conditionally approving the application of Willow Creek NewCo, LLC for a Minor Use Permit DRC2013-00028, adopted as amended and based on the Findings in Exhibit “A” and amended Conditions of Approval in Exhibit “B”.

Motion by: Frank R. Mecham

Second by: Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Closed Session Items:

33. The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) ARB, Inc. v. County of San Luis Obispo; (4) County of San Luis Obispo v. San Luis Obispo Government Attorneys’ Union; (5) County of San Luis Obispo v. San Luis Obispo Deputy County Counsel Association; (6) County of San Luis Obispo County Deputy County Counsel’s Association, et al. v. County of San Luis Obispo, et al.; (7) Los Osos Community Services District v. Golden State Water Company, et al.;

CONFERENCE WITH LABOR NEGOTIATOR (Government Code, section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (8) San Luis Obispo Government Attorney’s Union (SLOGAU); (9) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (10) Deputy County Counsel’s Association (DCCA); (11) Sheriffs’ Management; (12) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (13) Deputy Sheriff’s Association (DSA); (14) District Attorney Investigators’ Association (DAIA); (15) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (16) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (17) Unrepresented Management and Confidential Employees; and (18) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDs).

Chairperson Arnold: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

Presentations

34. Submittal of a resolution supporting the Civility and Civil Discourse Accord resolution. All Districts.

The Board approves the presentation.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Ms. Marquerite Bader and Ms. Marilee Hyman - League of Women Voters: speak.

Chairperson Arnold: opens the floor to public comment.

Dr. C. Hite (video); Ms. Julie Tacker; Mr. Gary Kirkland; Mr. Richard Margetson; Ms. Debbie Peterson; Ms. Sharon Kimball - League of Woman Voters Vice-President; Ms. Carolyn Atkinson; Ms. Jeannette Watson; Mr. Jeff Edwards; Ms. Andrea Seastrand; Ms. Julie Rodewald; and Mr. Kevin Rice:

speak.

RESOLUTION NO. 2015-174, a resolution of the San Luis Obispo County Board of Supervisors supporting the Civility and Civil Discourse Accord, adopted.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, July 07, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: July 27, 2015